IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WA.No. 602 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.23314/2006 Dated 18/01/2007
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APPELLANT: PETITIONER.

P.A.VINCENT, PANAKKOOTTATHIL,
PRAKASH NIVAS, GOWOWN ROAD, EDAPPALLY,
ERNAKULAM-682 024. 2ND CLASS ENGINE DIRIVER,
MARINE DEPARTMENT.

BY ADV. SRI.P.A.VINCENT (PARTY-IN-PERSON)

RESPONDENTS:
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1. CHAIRMAN,COCHIN PORT TRUST,
WILLINGTON ISLAND,COCHIN-682 009.

2. HON'BLE SECRETARY,
MINISTRY OF SHIPPING AND TRANSPORT,
GOVERNMENT OF INDIA.

BY ADV. SRI.P.PARAMESWARAN NAIR, CGC
SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan & A.K. Basheer, JJ.

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W.A.No. 602 of 2007

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Dated this the 12th day of September, 2007.

J U D G M E N T

Radhakrishnan,J:

Writ Petition was preferred by the appellant who appeared in person seeking for a direction to call for the entire records leading to Exts.P2 to P8 and P14 including the Rules and Regulations mentioned therein namely, "Rules for Regulation of the Conditions of Employment of the Industrial Staff of Cochin Port" and also for consequential reliefs. By Ext.P14 the appellant was dismissed from service in November 1980. The dismissal order was challenged before this Court without success. In the judgment in W.A. 2548/02 which was dismissed by a Division Bench of this Court in the year 2002, it has been clearly stated that the contentions raised by the appellant are misconceived. Prayer for the disposal of the appeal was also rejected by the Division Bench holding that after a lapse of more than 20 years such a contention cannot be accepted. Petitioner is now urging new grounds which he ought to have taken in the earlier proceedings. The present prayers in the writ petition therefore cannot be entertained by this Court under Article 226 of the Constitution of India. We do not find any infirmity in the findings rendered by the learned single Judge. Appeal lacks merits and the same is dismissed.

K.S.Radhakrishnan
Judge.

A.K. Basheer
Judge.

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